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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/107,486	06/30/1998	YOSHIKO SHIIMORI	0905-0206P	8134

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BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER
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POON, KING Y

ART UNIT	PAPER NUMBER
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2624

20

DATE MAILED: 05/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
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SERIAL NUMBER	FILING DATE	ATTORNEY DOCKET NO.
09107486		

EXAMINER	
Poon	
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2624	20

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Below is a communication from the EXAMINER in charge of this application  
COMMISSIONER OF PATENTS AND TRADEMARKS

### ADVISORY ACTION

☒ THE PERIOD FOR RESPONSE:

- a) ☐ is extended to run \_\_\_\_\_ or continues to run \_\_\_\_\_ from the date of the final rejection
- b) ☒ expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

- ☐ Appellant's Brief is due in accordance with 37 CFR 1.192(a)
- ☒ Applicant's response to the final rejection, filed 4/29/2003 has been considered with the following effect, but it is not deemed to place the application in condition for allowance:

1. ☐ The proposed amendments to the claim and/or specification will not be entered and the final rejection stands because:
- ☐ There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.
  - ☐ They raise new issues that would require further consideration and/or search. (See Note).
  - ☐ They raise the issue of new matter. (See Note).
  - ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
  - ☐ They present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE:

2. ☐ Newly proposed or amended claims \_\_\_\_\_ would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.
3. ☒ Upon the filing an appeal, the proposed amendment ☒ will be entered ☐ will not be entered and the status of the claims will be as follows:

Claims allowed: \_\_\_\_\_  
Claims objected to: \_\_\_\_\_  
Claims rejected: 1-10, 12-20, 22-36, 38-43, 45-50

However;

- ☐ Applicant's response has overcome the following rejection(s): \_\_\_\_\_

4. ☒ The affidavit, exhibit or request for reconsideration has been considered but does not overcome See attachment
5. ☐ The affidavit or exhibit will not be considered because applicant has not shown good presented.

- ☐ The proposed drawing correction ☐ has ☐ has not been approved by the
- ☐ Other

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**Attachment**

With respect to applicant's argument that page 37 to page 38 teaches "the thumbnail image data and the editing image data displayed in a correct direction on the display device due to the display direction conversion processing," has been considered.

In reply: The examiner does not see where is the editing image data displayed in a correct direction on the display device due to the display direction conversion processing in page 37-38.

With respect to applicant's argument that Cok does not represent data that can be used to subject the film image data to display direction conversion and there are no motivations to combine Cok and Kurahashi, has been considered.

In reply: Kurahashi as modified by Cok does not teach the image output device outputting the film image after subjecting the film image to display direction conversion.

Maniwa, in the same area of storing image data teaches outputting images after subjecting the image to display direction conversion. (Column 29, lines 50-60)

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Kurahashi/Cok image processing method to include: the image output device outputting the film image after subjecting the film image to display direction conversion.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Kurahashi/Cok image processing method by the teaching of

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Maniwa because of the following reasons: (a) it would have allowed the image to be displayed in a correct direction as taught by Maniwa at column 29, lines 55-61.

With respect to applicant's argument that Hunt does not teach transmitting information corresponding to the number of color of the display, has been considered.

In reply: The display of Hunt displays RGB. If the transmitted information does not correspond to the number of color of the display, for example, only supplying the Red information, the display of Hunt would not display RGB anymore.

With respect to applicant's argument on page 9 that there is no motivation to combine Kurahashi and Cok, has been considered.

In reply: Kurahashi does not teach that the image data are film image data.

Cok, in the same area of scanning image data, teaches to create film image data to be stored in a server.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Kurahashi's image processing method to include: film image data as image data.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Kurahashi's image processing method by the teaching of Cok because of the following reasons: (a) it would have allowed the image to be created in a manner that is very flexible and is usable over a wide distribution to diverse producers, as taught

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by Cok at column 2, line 23-30; and (b) film image would have allowed users to create realistic images with low cost.

With respect to applicant's argument that Kurahashi does not teach reediting, has been considered.

In reply: Kurahashi, column 10, lines 20-23, teaches to reedit the edited image to form image 104, fig. 10.